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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,368	03/12/2004	Patrick J. Garvy	sys-p-1320 (8364-91511)	8869

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EXAMINER

TWEEL JR, JOHN ALEXANDER

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,368

Applicant(s)

GARVY ET AL.

Examiner

John A. Tweel, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9,16-24 and 28-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9,16-24 and 28-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. This Office action is in response to the amendment filed 5/25/06. Claims 1, 16, 17, and 28 have been amended. Claims 8, 10-15, and 25-27 have been canceled. Claims 29-33 have been added.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 3, 5, 7, and 28-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kimmel et al** in view of **Farley** [U.S. 6,950,016].

For claim 1, the system taught by **Kimmel** includes the following claimed subject matter, as noted, 1) the status panels meet the claimed plurality of spaced apart monitoring systems (No. 206) located in remotely monitored sites having ports (No. 604) for communicating, via the Internet to a displaced monitoring apparatus, and 2) the claimed monitoring apparatus is met by either the host computer (No. 202), the remote computer (No. 204) or mobile computer (No. 208) each having ports for communicating, via the Internet with each of the monitored sites including software for accessing the status of at least one region (Col. 7, Lns. 8-30) being monitored by the panel. However, there is no mention of additional software for carrying out a walk test at a remote monitoring system.

The walk through test system taught by **Farley** includes a communications channel between a control panel and a tester, preferably a wireless one. The obvious

advantage of this particular system is that a walk through test may be performed without disrupting the building occupants. This would be very important in a facility that does not have an unoccupied period.

The system of Kimmel may very well be in a building that has no unoccupied period. The Farley reference demonstrates that a walk through test may still be conducted without disrupting the occupants. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a silent walk through test for the purpose of minimizing inconvenience to the residents of the building.

For claim 3, the software of the numerous computers of Kimmel depicts the alarm status (Col. 5, Lns. 15-23) of a respective system.

For claim 5, Figure 9 of Kimmel depicts several requests to the security panel such as Health Status, Point Status, and Alarm status requests for the system to execute thereat.

For claim 7, the user at a Host or Remote computer can interact with a specified monitoring system substantially in real-time (Abstract) in evaluating an alarm status thereof.

For claim 28, the system taught by **Kimmel** includes the following claimed subject matter, as noted, 1) the claimed plurality of spaced apart monitoring systems is met by the status panels (No. 206) located in remotely monitored sites having ports (No. 604) for communicating, via the Internet to a displaced monitoring apparatus, and 2) the claimed monitoring apparatus is met by either the host computer (No. 202), the remote computer (No. 204) or mobile computer (No. 208) each having ports for communicating,

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via the Internet with each of the monitored sites including software for accessing the status of at least one region (Col. 7, Lns. 8-30) being monitored by the panel, and 3) the claimed wireless port is seen in Figure 12 wherein the security panel includes a wireless LAN hub (No. 302) for communicating with the computer network. However, there is no mention of a walk through test control screen or walk through test.

The claim is interpreted and rejected for the same reasons and rationale as is mentioned in the rejection of claim 1 above.

For claim 29, the system taught by **Kimmel** includes the following claimed subject matter, as noted, 1) the status panels meet the claimed plurality of spaced apart monitoring systems (No. 206) located in remotely monitored sites having ports (No. 604) for communicating, via the Internet to a displaced monitoring apparatus, and 2) the claimed monitoring apparatus is met by either the host computer (No. 202), the remote computer (No. 204) or mobile computer (No. 208) each having ports for communicating, via the Internet with each of the monitored sites including software for accessing the status of at least one region (Col. 7, Lns. 8-30) being monitored by the panel. However, there is no mention of conducting tests thereof.

The claim is interpreted and rejected for the same reasons and rationale as is mentioned in the rejection of claim 1 above.

For claim 30, the test presented by Farley is a walk test at a remote monitoring system.

For claim 31, the security panels and host computers of Kimmel communicate with and control a group of monitoring systems.

For claim 32, both references communicate between monitoring units using a computer network.

For claim 33, the tests taught by Farley are walk tests at specified monitoring systems.

4. Claims 2, 4, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kimmel et al** in view of **Farley** as applied to claim 1 above and further in view of **Naidoo et al**.

For claim 2, the combination of Kimmel and Farley includes the claimed subject matter as discussed in the rejection of claim 1 above. However, there is no mention of modifying a parameter setting at a respective selected system.

The security system taught by **Naidoo** presents a system for enabling a central station to verify in real-time whether an alarm signal is a false alarm, enabling remote users to access features of the station such as remote surveillance, and also enables both the users and the central station to activate the system and adjust remote alarm sensitivities. The monitoring personnel at the central station (No. 14) may determine whether an alarm is a false alarm and then inform the base station thereof where corrective action may take place. Also, the central station itself may either manually or automatically adjust settings in order to avoid future false alarms.

As the Kimmel reference would benefit from a lesser amount of false alarms, it would have been obvious to one of ordinary skill in the art at the time the invention was

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made to include an adjustment of alarm sensitivities for the purpose of reducing such alarms in order to increase the reliability of the system.

For claim 4, the system of Naidoo adjusts the parameter of the setting in response to a false alarm of the selected monitoring system.

For claim 9, the system of Naidoo allows the sensitivity of alarm parameters to be evaluated by the user.

5. Claims 6, 16, 17, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kimmel et al** in view of **Farley** and **Foodman et al**.

For claim 6, the combination of Kimmel and Farley includes the claimed subject matter as discussed in the rejection of claim 1 above. Although the system is able to select a specific location and alarm to be monitored, there is no mention of pre-assigned network identifiers.

To use an account in which identifiers are stored by a central location is not new in the prior art. The Internet based security, fire and emergency ID and communication system taught by Foodman uses a website database to determine which central monitoring station services a specified subscriber. This reference is plain evidence that network identifiers have been used in emergency systems to positively identify which user and which central station services said user.

The system of Kimmel requires that the host computer as well as remote computers identify and locate specified locations and sensors within that location. It would have been obvious to one of ordinary skill in the art at the time the invention was

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made to include network identifiers for the purpose of taking advantage of a common and well known identifying method.

For claim 16, the apparatus taught by **Kimmel** includes the following claimed subject matter, as noted, 1) the claimed software displaying status information relative to at least one selected system can be seen in Figures 1 and 8 wherein the status of a plurality of alarm sensors are displayed, and 2) the claimed software enabling an operator to select an ambient condition is seen in Figure 9 where Health Status and Alarm status messages can be sent for execution to the security panel. However, there is no mention of displaying selectable identifiers for a plurality of displaced monitoring systems.

The claim is interpreted and rejected for the same reasons and rationale as is mentioned in the rejection of claim 6 above. Also, there is no mention of displaying a walk test control screen or a walk through test.

The claim is interpreted and rejected for the same reasons and rationale as is mentioned in the rejection of claim 1 above.

For claim 17, the apparatus of Kimmel communicates with the security panels using the Internet.

For claim 24, the system of Foodman transmits video images for display at a website in real time.

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6. Claims 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kimmel et al** in view of **Farley** and **Foodman et al** as applied to claims 16 and 17 above, and further in view of **Naidoo et al**.

For claim 18, the combination of references above includes the claimed subject matter as discussed in the rejections above. However, there is no mention of establishing an operator specified detector parameter to be forwarded via the Internet for installation at the detector.

The claim is interpreted and rejected for the same reasons and rationale as is mentioned in the rejection of claim 2 above.

For claim 19, the systems of Kimmel and Naidoo all include computers. These are considered sufficient for executing software.

For claims 20 and 21, as all computers contain memories using hard drives, disks, and other equipment, this is considered an obvious method to store and retrieve information relative to the monitoring systems.

For claim 22, the several Requests made by the host computer of Kimmel are transmitted to the security panel for execution thereat.

For claim 23, the system of Naidoo transmits data to be installed at a selected ambient condition detector, in this case the adjusting of sensitivity.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Farley [U.S. 6,737,967] provides a method and system of walk through testing.

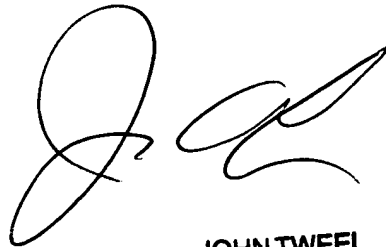
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John A. Tweel, Jr. whose telephone number is 571 272 2969. The examiner can normally be reached on M-F 10-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass can be reached on 571 272 2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JAT
8/3/06

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of loops and a final horizontal stroke.

**JOHN TWEEL
PRIMARY EXAMINER**